

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH

MEGAN BARTLEY, MICHAEL
BARTLEY,

Plaintiffs,

vs.

JAIME RINKER, JEFFERSON COUNTY
JAIL, DUSTIN MYERS, BRANDON
SCHOTT, JENNIPHER PEARCE, KELLY
CASADO DE ACHAVAL, SARAH
GUENETTE, JOHN/JANE DOE(S) 1,
JOHN/JANE DOE(S) 2, JEFFERSON
COUNTY, PRIMECARE MEDICAL, INC.,

Defendants,

2:22-CV-00164-CRE

ORDER OF COURT

AND NOW, this 3rd day of April, 2023, it is ORDERED that:

1. Defendant PrimeCare's Motion to Dismiss Count V (Negligent Infliction of Emotional Distress) [ECF No. 52] is DENIED AS MOOT since Plaintiff Megan Bartley has withdrawn Count V, and PrimeCare Defendants' Motion to Dismiss Counts IV and VI [ECF No. 52] is DENIED in all other respects.

2. Defendant Jaime Rinker's partial Motion to Dismiss Count I [ECF No. 55] is DENIED.

3. Defendants' Jefferson County, Dustin Myers, Brandon Schott, and Sarah Guenette partial Motion to Dismiss Counts IV and VI [ECF No. 59] is GRANTED IN PART AND DENIED IN PART as follows: it is GRANTED with respect to the official capacity claims only as against Defendants Myers, Schott, and Guenette for Count IV (Intentional Infliction of Emotional Distress). County Defendants' Motion is DENIED in all other respects.

IT IS FURTHER ORDERED that Defendants shall file an Answer to Plaintiffs' Second Amended Complaint by **May 5, 2023**.

BY THE COURT:

s/Cynthia Reed Eddy
United States Magistrate Judge

cc: all counsel of record *via CM/ECF electronic filing*